

SAFE DRINKING WATER ACT AMENDMENTS

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Glenn A. Donnelson

This act modifies the Safe Drinking Water Act to require that any substance added to a public water supply for the purpose of preventing or treating a disease be approved by the United States Food and Drug Administration. The act prohibits the addition of any product to a public water supply containing a contaminant regulated by the United States Environmental Protection Agency, which at maximum use levels exceeds the EPA's Maximum Contaminant Level Goals.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

19-4-111.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **19-4-111.5** is enacted to read:

19-4-111.5. Restrictions on substances added to a public water supply.

(1) Beginning July 1, 2004, a person, agent, or agency, either public or private, may not add to a public water supply any product or compound for which a health claim is made unless the manufacturer of the product or compound can certify that it has been approved by the United States Food and Drug Administration, in compliance with the federal Food, Drug, and Cosmetic Act, as:

(a) safe for the full range of expected human consumption, with a margin of safety for all ages of consumers; and

(b) effective for the prevention, mitigation, or treatment of disease.

(2) Beginning July 1, 2003, any product or compound added to a public water supply may not contain any other substance that is regulated as a contaminant by the United States Environmental Protection Agency, which at maximum use levels exceeds the United States



28 Environmental Protection Agency Maximum Contaminant Level Goals.

29 (3) The requirements of this section do not apply to chlorine or other water purifying

30 agents.

Legislative Review Note
as of 1-24-03 2:57 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note**Safe Drinking Water Act Amendments***04-Feb-03***Bill Number HB0227***9:59 AM*

State Impact

No fiscal impact is expected to State agencies to implement provisions of this bill. However, significant impact is likely to local governments, particularly their water utilities that are required to treat water supplies.

Individual and Business Impact

Individuals and businesses are likely to bear the burden of increased costs to local water suppliers to enact provisions of this bill. It is unknown at this time how much water rates would have to be increased.

Office of the Legislative Fiscal Analyst